REMARKS

Applicant wishes to thank the Examiner for the consideration given this case to date. Applicant has now had an opportunity to carefully consider the Examiner's action, and respectfully submits that the application, as amended, is now in condition for allowance. Claims 1-21 are pending.

THE EXAMINER'S ACTION

In the Office Action dated March 25, 2005, the Examiner objected to claim 21 under 37 CFR 1.75;

Rejected claim 11 under 35 U.S.C. § 112;

Rejected claims 1-3 and 13-21 under 35 U.S.C. § 103(a) as being unpatentable over *Veil* in view of *Cromer et al.*; and

Rejected claims 4-12 under 35 U.S.C. § 103(a) as being unpatentable over *Veil* in view of *Cromer et al.* and *Cepulis et al.*

OBJECTION UNDER 37 CFR 1.75

Claim 21 is objected to under 37 CFR 1.75 as being a substantial duplicate of claim 1. Applicant respectfully disagrees. Claim 21 is broader than claim 1 because it does not require the step of "operating said product characteristic value through an algorithm to obtain an operation value." Applicant, therefore, respectfully requests reconsideration of this objection.

REJECTION UNDER 35 U.S.C. §112

Claim 10 has been amended to correct typographical errors and provide an antecedent basis for the term "The USB Device" in claim 11. All of the amendments can be supported by the specification and figures of the present invention as originally filed and, therefore, there is no new matter added therein.

REJECTION UNDER 35 U.S.C. §103(a)

The Examiner rejected claims 1-3 and 13-21 under 35 U.S.C. §103(a) as being unpatentable over *Veil* (U.S. Patent No. 6,138,239) and further in view of *Cromer et al.* (Pub.

No. US 2003/0084278). Applicant respectfully disagrees.

As in claim 1, the claimed method includes steps of: providing at least one product and reading a product characteristic value of said at least one product; operating said product characteristic value through an algorithm to obtain an operation value; comparing said operation value; and executing a protection action. *Veil*, in contrast, discloses steps of indicating a first trust relationship with BIOS, a second trust relationship with the secure peripheral and a third trust relationship with the master security; and using the BIOS to verify at least one of the first, second or third trust relationships (*see Veil* col. 2 lines 49-64). However, the trust relationship disclosed in *Veil* is based on the following principles: (1) authentication (2) integrity and (3) nonrepudiation (*see Veil* col. 5 lines 1-11). In *Veil*, the digital certificate used for verification of the trust relationship includes user name, validity date, usage attributes, certification authority (issuer) name, public key and signature (by certification authority) (*see Veil* Fig. 2A).

Therefore, *Veil* discloses the utilization of BIOS to verify the trust relationship in association with the environment of a computer or the parameters pertinent to electronic transaction issued by a user (computer) while the claimed invention is directed to device-level verification. When designing a program, the software engineer must address the modular interfaces, or more specifically the input, output, and application, as these heavily dominate how the corresponding module/process shall be implemented and executed. *Veil* teaches totally different scenarios from the claimed invention regarding input data and applications.

Veil fails to teach the output and intermediate processes of the claimed invention, such as "executing a protection action...," "operating said product characteristic value..." and "comparing said operation value...." Moreover, the network environment disclosed by *Veil* teaches away from the standalone computer environment of the claimed invention.

As conceded by the Examiner, *Veil* fails to disclose the "products" of the claimed invention. The Examiner attempts to rely on *Cromer et al.* to correct this deficiency. *Cromer et al.* disclose a method for booting a computer system comprising the steps of: initiating a boot sequence in the computer system, determining whether one of the plurality of devices is either a bootable device or a non-bootable device, and performing a clean restart of the boot sequence if the device is a non-bootable device. *Cromer et al.* only performs a clean restart or bypasses the non-bootable device without initiating a protection action to prevent from illegal access to

specific program and data areas.

Accordingly, the combination of *Veil* and *Cromer et al.* fail to teach the protection action for a specific one of a program area and data area when the at least one product does not have a characteristic value conforming to usage standards of a specific one of the program area and data area.

Based on at least the above reasons, the claimed invention has many features not shown, taught or suggested in *Veil* and/or *Cromer et al.* Accordingly, claims 1 and 21 of the present invention are patentable over *Veil* and *Cromer et al.* Since claims 2-20 are all dependent on claim 1, dependent claims 2-20 are all also allowable as being dependent on the allowable claim 1.

CONCLUSION

Applicant, intending to be completely responsive, believes that the amendments and remarks presented above resolve all outstanding issues on the above-referenced application. Accordingly, the application is believed to be in condition for allowance. Early notice thereof is earnestly solicited. While no additional fees are believed due, the Commissioner is hereby authorized to charge any necessary additional fees, or credit any overpayment, to Deposit Account No. **02-2051**, referencing Attorney Docket No. **26870-4**.

Respectfully submitted,

DATED: June 22, 2005   By: _____

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